

# IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 485 OF 2004

THE VILLAGE PANCHAYAT OF CURCA  
THROU' ITS SARPANCH

....Petitioner

Versus

STATE OF GOA THROUGH THE CHIEF  
SECRETARY & 4 ORS.,

....Respondents

Mrs. Norma Alvares, Advocate for the Petitioner.

Mr. S. S. Kantak, Advocate General with Mr.S.R.Rivonkar, Additional  
Government Advocate for the State.

Mr. J. Godinho, Advocate for the Respondent No.2.

Mr. A. F. Diniz, Advocate for the Respondent No.3.

Mr. A. N. S. Nadkarni with Mr. H. D. Naik, Advocates for the respondent  
No.4.

Ms. L. Dharwadkar, Additional Government Advocate for the Respondent  
No.6.

Mr. A. F. Diniz, Advocate for the Respondent No.3.

Coram:- DR. S. RADHAKRISHNAN &  
N. A. BRITTO, JJ.

Date:- 26th September, 2006

P.C.:-

Heard the learned Counsel for the Applicant, the learned Advocate General for the Respondent No.1 and the learned Counsel for the Respondent Nos. 2,3, 4 and 6. The learned Counsel for the Respondent No.4/Mapusa Municipal Council states that they have stopped dumping garbage at Curca site long time ago and prays for deletion of the Respondent No.4. The learned Counsel for the Applicant has no objection if the name of the Respondent No.4 stands deleted, hence Respondent No.4 stands deleted.

We have perused the Capping and Closure Plan of Municipal Solid Waste Dump prepared by Mahabal Enviro Engineers Pvt. Ltd. We have also perused the Affidavit dated 15-9-2006 filed by the Respondent No.6.

In view of the aforesaid development, the parties have arrived at a settlement by mutually acceptable "Minutes of Order" duly signed by the

learned Counsel for the Applicant and the learned Counsel for the Respondent Nos.1, 2, 3 and 6. The same is taken on record and marked 'X' for identification. The Writ Petition stands disposed of in terms of the said Minutes of Order.

The learned Counsel for the Respondent No.3/Corporation of the City of Panaji categorically states on instructions from the Municipal Commissioner that the aforesaid site at Curca will not be used for dumping, storage or disposal of garbage at all. The learned Counsel states that the said site is likely to be used as a cattle pound.

Having regard to the facts and circumstances of the case, for strict compliance of the aforesaid "Minutes of Order" place the matter though disposed of, for directions on 11-12-2006 to ensure strict compliance of the same.

DR. S. RADHAKRISHNAN, J.

N. A. BRITTO, J.

RD.